

## CCRB INVESTIGATIVE RECOMMENDATION

|  |   |                            |   |                                    |                                 |
|--|---|----------------------------|---|------------------------------------|---------------------------------|
| Investigator:<br>Nicholas Venduras   | Team:<br>Squad #16  | CCRB Case #:<br>202103189  | <input checked="" type="checkbox"/> Force             | <input type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.   |
|  |   |                            | <input type="checkbox"/> Abuse                        | <input type="checkbox"/> O.L.      | <input type="checkbox"/> Injury |
| Incident Date(s)<br>Tuesday, 05/25/2021 9:30 PM, Tuesday, 05/25/2021 9:45 PM | Location of Incident:<br>Thomas Street and Broadway<br>10th Precinct Stationhouse | Precinct:<br>01            | 18 Mo. SOL<br>11/25/2022                              | EO SOL<br>11/25/2022               |                                 |
| Date/Time CV Reported<br>Wed, 05/26/2021 2:23 PM                             | CV Reported At:<br>Mayor's Office   | How CV Reported:<br>E-mail | Date/Time Received at CCRB<br>Wed, 05/26/2021 2:23 PM |                                    |                                 |

| Complainant/Victim | Type | Home Address |
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| Subject Officer(s)     | Shield | TaxID  | Command     |
|------------------------|--------|--------|-------------|
| 1. POM Corey Behan     | 04639  | 956425 | PBMS SU     |
| 2. SGT William Perritt | 05433  | 943672 | 006 PCT     |
| 3. PO Brian Brandefine | 21864  | 963880 | PBMS SU PST |
| 4. SGT Sean Aman       | 03440  | 937975 | 010 PCT     |
| 5. PO Stephen Malvagna | 12137  | 960858 | PBMS SU PST |

| Witness Officer(s)        | Shield No | Tax No | Cmd Name |
|---------------------------|-----------|--------|----------|
| 1. POF Theresa Fletcher   | 24477     | 967070 | 010 PCT  |
| 2. SGT Daniel Fitzpatrick | 04753     | 944566 | 010 PCT  |
| 3. SGT Matthew Forsythe   | 02063     | 953875 | 010 PCT  |

| Officer(s)            | Allegation   | Investigator Recommendation |
|-----------------------|--|-----------------------------|
| A.SGT William Perritt | Force: At Thomas Street and Broadway, Sergeant William Perritt used physical force against § 87(2)(b)        |                             |
| B.SGT William Perritt | Force: At Thomas Street and Broadway, Sergeant William Perritt used physical force against § 87(2)(b)        |                             |
| C.POM Corey Behan     | Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against § 87(2)(b)      |                             |
| D.PO Brian Brandefine | Force: At Thomas Street and Broadway, Police Officer Brian Brandefine used physical force against § 87(2)(b) |                             |
| E.PO Stephen Malvagna | Force: At Thomas Street and Broadway, Police Officer Stephen Malvagna used physical force against § 87(2)(b) |                             |
| F.POM Corey Behan     | Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against § 87(2)(b)      |                             |
| G.POM Corey Behan     | Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against individuals.    |                             |
| H.SGT Sean Aman       | Force: Inside 230 West 20th Street, Sergeant Sean Aman used physical force against § 87(2)(b)                |                             |

## Case Summary

On May 26, 2021, § 87(2)(b) filed this complaint via email to the New York City Mayor's office. This case was then forwarded to the CCRB on the same day.

On May 25, 2021, at approximately 9:30 PM, Sergeant William Perritt, Police Officer Brian Brandefine, Police Officer Corey Behan, and Police Officer Stephen Malvagna of Patrol Borough Manhattan South arrested § 87(2)(b) during a protest near the intersection of Thomas Street and Broadway in Manhattan. In doing so, Sgt. Perritt allegedly shoved a woman, § 87(2)(b) out of the way (**Allegation A: Force, § 87(2)(g)**). While arresting § 87(2)(b) the officers used force to take him into custody (**Allegation B: Force, § 87(2)(g)**; **Allegations C – E, § 87(2)(g)**). A large crowd gathered, separating them from an awaiting NYPD van. To get through this crowd, PO Behan allegedly punched bystander § 87(2)(b) in the face (**Allegation F: Force, § 87(2)(g)**). PO Behan also shoved at least one other civilian to make his way through to the NYPD van (**Allegation G: Force, § 87(2)(g)**). Once they reached the van, the officers transported § 87(2)(b) to the 10<sup>th</sup> Precinct stationhouse.

Upon arrival, Sergeant Sean Aman of the 10<sup>th</sup> Precinct allegedly used force to restrain § 87(2)(b) at the stationhouse desk during processing (**Allegation H: Force, § 87(2)(g)**).

The NYPD Legal Department provided a total of 20 Body-Worn Camera (BWC) videos in regards to this incident. (**Board Review 1**). § 87(2)(b) provided cellphone video in regards to this incident (**Board Review 2**).

## Findings and Recommendations

**Allegation A: Force: At Thomas Street and Broadway, Sergeant William Perritt used physical force against § 87(2)(b)**

**Allegation B: Force: At Thomas Street and Broadway, Sergeant William Perritt used physical force against § 87(2)(b)**

**Allegation C: Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against § 87(2)(b)**

**Allegation D: Force: At Thomas Street and Broadway, Police Officer Brian Brandefine used physical force against § 87(2)(b)**

**Allegation E: Force: At Thomas Street and Broadway, Police Officer Stephen Malvagna used physical force against § 87(2)(b)**

**Allegation F: Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against § 87(2)(b)**

**Allegation G: Force: At Thomas Street and Broadway, Police Officer Corey Behan used physical force against individuals.**

§ 87(2)(b) made a statement to the CCRB on June 4, 2021 (**Board Review 3**). At approximately 9:30 PM on May 25, 2021, § 87(2)(b) and her family were in lower Manhattan when she exited

her car to use her cellphone to record a group of 100 to 150 protesters marching on the one-year anniversary of George Floyd's death. § 87(2)(b)'s arrest report lists the incident location as the corner of Broadway and Thomas Street (**Board Review 4**).

In the roughly five minutes § 87(2)(b) was on scene, she recorded a brief video after hearing protesters scream (**Board Review 3**). She saw a group of plainclothes officers arrest § 87(2)(b) who was upset but remained calm. As these officers brought him through the crowd, which cheered, "Let him go! Let him go!" she saw PO Behan shove, push, or "mush" people's faces, causing a woman to fall. After that, wanting to avoid getting swept up in any protest-related arrests, § 87(2)(b) returned to her family and left.

§ 87(2)(b)'s cellphone video, which she uploaded to YouTube and TikTok, shot from across the street, shows a group of approximately 20 civilian protesters surrounding the officers just after taking § 87(2)(b) into custody (**Board Review 2**). At timestamp 1:01, as officers bring § 87(2)(b) onto the street between parked cars, an officer in a bright multicolored jacket pushes a dark-haired female wearing black who is blocking him out of the way as he holds onto § 87(2)(b) (During his CCRB interview on March 10, 2022, PO Behan identified himself as the officer in the multicolored jacket (**Board Review 5**)). PO Behan appears to do so once with an open hand, and the angle of his arm indicates he likely makes contact with her upper chest. PO Behan moves his hand towards the unidentified female again, but the video does not clearly show if he makes contact with her a second time. As PO Behan and the officers escort § 87(2)(b) out of the area, the group of civilians follow and yell towards the officers. At timestamp 1:25, an unidentified male civilian dressed in black shoves PO Behan and stands in front of him. The video is shaky, but the officers appear to keep walking. This video does not appear to show anyone falling to the ground.

§ 87(2)(b) made a statement to the CCRB on October 25, 2021 (**Board Review 6**). Prior to his arrest, at about 1:00 PM, § 87(2)(b) approached an unknown uniformed officer outside the 10<sup>th</sup> Precinct stationhouse in Manhattan during the protest. He looked up his allegation history based on the name on his chest plate and began reading it aloud to show how unfit for duty officers were. Sgt. Aman then approached and told the officer to leave, so § 87(2)(b) had another protester also look up Sgt. Aman's allegation history using his shield number. § 87(2)(b) then proceeded with the protest and did not elaborate more on what happened.

Later, near the corner of Broadway and Thomas Street, the protest was moving south when § 87(2)(b) looked back to see plainclothes officers close behind (**Board Review 6**). § 87(2)(b) said that to antagonize him, an officer asked, "What? What you gonna do?" As § 87(2)(b) approached, he "called [the officer] out" on his masculinity and another officer said "Ok, get this guy." According to § 87(2)(b) since they did not identify themselves and thinking he was about to get killed by racist fascists, § 87(2)(b) fought them "heavily" until they said they were police. He continued to move his body away from them, however, since he still did not fully believe they were police. It took four officers to fully restrain and handcuff § 87(2)(b) with one officer grabbing his legs to get him off balance, and they pressed him against a nearby fence.

As these plainclothes officers brought § 87(2)(b) to a police van, other uniformed officers assisted

with crowd control (**Board Review 6**). The way they gripped his arm to guide him through the crowd hurt § 87(2)(b)'s shoulder, which he loudly complained about until arriving at the stationhouse.

In a follow-up conversation, § 87(2)(b) stated PO Behan punched a male civilian in the face during his arrest, causing a bloody nose (**Board Review 7**). § 87(2)(b) identified the male civilian as § 87(2)(b). § 87(2)(b) described him as a “somewhat feminine,” but male-presenting white individual with black hair and possibly a beard, in his late 20s or early 30s with an average body type standing 5’9” to 5’10” tall. This description could possibly be the male who appears to shove PO Behan in § 87(2)(b)'s cellphone video at timestamp 1:25.

The investigation reached out to § 87(2)(b) but he was unavailable to provide a statement.

A female protestor, who only wanted to share her first name, § 87(2)(b) gave a statement to the CCRB on January 5, 2022 (**Board Review 9**). § 87(2)(b) was in the protest and near § 87(2)(b) when she noticed three plainclothes officers following a few blocks away from the arrest location. At one point, as she was walking on the sidewalk in front of the officers, Sgt. Perritt, identified by his “USA” hooded sweatshirt, physically shoved her by making contact with her torso and mid-shoulder area on her back and side. This shove caused § 87(2)(b) to take a few steps back, but she did not fall and there was no further physical contact.

§ 87(2)(b) then saw § 87(2)(b)'s arrest from about ten feet away (**Board Review 9**). Three plainclothes officers and a “swarm” of other officers tackled § 87(2)(b) to the ground, causing him to land face-down. § 87(2)(b) witnessed officers shoving other protestors and physically assaulting one other person but did not specify who they assaulted or how they did so. This group of protestors dispersed at 1 Police Plaza after the officers left.

According to his arrest report, § 87(2)(b) § 87(2)(b)  
§ 87(2)(b)  
§ 87(2)(b) (**Board Review 4**).

Sgt. Aman provided a statement to the CCRB on June 8, 2022 (**Board Review 10**). Between 7:00 PM and 8:00 PM on May 25, 2021, Sgt. Aman was in the vicinity of 7<sup>th</sup> Avenue and 20<sup>th</sup> Street in Manhattan when he saw § 87(2)(b) an “agitator” in the protest, standing on a barricade across 7<sup>th</sup> Avenue. § 87(2)(b) screamed in Sgt. Aman’s face something to the effect of causing him physical harm. Sgt. Aman refuted § 87(2)(b)'s recollection of seeing him at around 1:00 PM in front of the 10<sup>th</sup> Precinct stationhouse where civilians read officers’ allegation histories.

Sgt. Perritt reportedly went on intermittent medical leave on May 12, 2022, before retiring on August 8, 2022, according to retirement documentation and the CCRB was unable to obtain a statement from him (**Board Review 11 & Board Review 12**).

The three officers with Sgt. Perritt – PO Behan, PO Brandefine and PO Malvagna – all had

consistent testimony regarding § 87(2)(b)'s arrest and transportation back to the stationhouse (**Board Review 5, Board Review 13 & Board Review 14**).

Both PO Brandefine and PO Malvagna identified Sgt. Perritt, the highest-ranking member of the unit, as the MOS with the "USA" hooded sweatshirt (**Board Review 13 & Board Review 14**).

PO Brandefine made a statement to the CCRB on June 15, 2022, and explained the unit he was in, while currently called the Borough Public Safety, was at the time known as the Burglary Larceny Assault and Robbery Enforcement (BLARE) unit (**Board Review 13**). At one point, Sgt. Perritt told the officers there was probable cause to arrest § 87(2)(b) since he "menaced" Sgt. Aman earlier that day. PO Brandefine did not know who told Sgt. Perritt this information but knew it came via phone.

PO Brandefine could not recall what § 87(2)(b) was doing when he first saw him, but remembered he was walking with a large group of what he estimated to be a thousand protesters (**Board Review 13**). PO Malvagna, interviewed on June 16, 2022, described § 87(2)(b) as a "main agitator" in the protest (**Board Review 14**). PO Brandefine determined § 87(2)(b) was with too many other protesters to safely apprehend him, but at one point § 87(2)(b) must have recognized at least PO Brandefine as an officer (**Board Review 13**). § 87(2)(b) approached, "staring [PO Brandefine] down," but Sgt. Perritt said he should simply continue because no one was bothering him. § 87(2)(b) then turned to PO Brandefine and said, "I'm going to fuck you up," a threat which PO Brandefine took seriously. PO Malvagna regarded § 87(2)(b)'s approach as "aggressive" and recalled he maintained a "squared-off" or fighting stance (**Board Review 14**). PO Malvagna also noted § 87(2)(b)'s neck was tense as he screamed at them but did not remember what he was saying.

After he approached the officers, the officers began to arrest § 87(2)(b) (**Board Review 13**). PO Brandefine said they did not give § 87(2)(b) any commands because once the threat was made, they did not allow him the opportunity to act on it. PO Behan remembered he approached from across the street and was the last officer to reach § 87(2)(b) whom he described as very strong with a stocky build (**Board Review 5**). He did not remember exactly what instructions officers gave § 87(2)(b) but remembered they identified themselves immediately upon contacting him and had their shields out since they were in plainclothes.

No officers recalled seeing anyone fitting § 87(2)(b) description and did not recall officers shoving anyone out of the way to get to § 87(2)(b) (**Board Review 5, Board Review 13 & Board Review 14**).

The investigation determined that Sgt. Perritt, PO Brandefine, PO Behan, and PO Malvagna were the only officers involved in handcuffing § 87(2)(b). These four Members of Service (MOS) will be the only MOS referred to as the BLARE unit in this report.

PO Brandefine did not remember which two officers grabbed § 87(2)(b) from behind, but he did not give them his hands and tensed up (**Board Review 13**). § 87(2)(b) struggled with the officers

to keep his hands away from them, so they guided him to the ground where he continued to struggle to keep his hands underneath his body. PO Behan also recalled this resistance, which caused them to bring § 87(2)(b) to the ground (**Board Review 5**). PO Behan was unsure exactly how they took § 87(2)(b) to the ground, but assumed it was done in a controlled pulling motion. PO Malvagna stated the officers gently guided § 87(2)(b) to the ground due to his resistance, but PO Malvagna's hand was pinned underneath § 87(2)(b) (**Board Review 14**). PO Malvagna hung onto § 87(2)(b) the entire time because an officer should never let go of an arrested individual, which caused tearing in PO Malvagna's wrist. PO Brandefine estimated it took about five minutes to handcuff § 87(2)(b) because he struggled and kept his hands underneath his body while he was on the ground (**Board Review 13**).

While the officers arrested § 87(2)(b) the crowd converged upon them, which caused PO Brandefine to classify the situation as "chaotic" and "very dangerous" (**Board Review 13**). About 30 other officers created a perimeter for their protection, but the crowd kept trying to get closer. The crowd shouted at the officers to, "Let him go! Let him go!" and at one point, the crowd cornered the BLARE unit against nearby construction fencing. Both PO Behan and PO Brandefine testified that members of the crowd then attempted to get the now handcuffed § 87(2)(b) away from the officers by pushing and pulling them (**Board Review 5 & Board Review 13**). PO Behan recalled members of the crowd pulled on him from all directions in an attempt to interrupt the arrest and officers constantly told them to get back throughout the incident (**Board Review 5**). The crowd also threw objects at the officers, but PO Behan could not recall exactly what they were. PO Brandefine recalled that the crowd threw a parking cone and a soft drink, which caused him to fear someone might potentially throw a brick at him (**Board Review 13**).

PO Malvagna was overwhelmed by what felt like a thousand people and feared for his safety and that of his fellow officers when the crowd "swarmed" and surrounded them (**Board Review 14**). At one point, PO Malvagna fell to the ground due to the crowd's pushing the BLARE unit towards the construction fence. He recalled the crowd throwing items at the officers while individuals tried to pull § 87(2)(b) away.

PO Brandefine described the situation as "chaotic" until the BLARE unit escorted § 87(2)(b) through the crowd to a marked NYPD van about one and a half blocks north by pushing people aside (**Board Review 13**). PO Brandefine did not recall punching or any other force, nor did he recall seeing any other officers do so. He acknowledged shoving people by aiming for the central masses of their chest and shoulder areas to create a safe space for himself, but in the chaos, he may have inadvertently connected with other areas, including faces. PO Malvagna also pushed people away to maintain a safe space, but he never made physical contact with anyone's face (**Board Review 14**).

PO Behan only used openhanded pushes and possibly his shoulder to move people away from him in order to create a safe space, but did not remember using any hand strikes against any civilians in the unruly crowd (**Board Review 5**). He did not recall doing so but acknowledged the possibility of connecting with civilians' faces, arms, chests, etc., in the chaos. One male "squared up" and challenged him to fight, but PO Behan pushed past him. He did not recall any civilians with a

bloody nose. Of the estimated 150 people in the crowd, PO Behan thought he made physical contact with about 50. The CCRB was unable to determine if this individual who allegedly challenged PO Behan was § 87(2)(b).

None of the officers interviewed saw a civilian fall to the ground, never saw an officer punch anyone in the face, and none recognized § 87(2)(b)'s description (**Board Review 5, Board Review 13 & Board Review 14**).

PO Brandefine stated that once they reached the van, all officers and § 87(2)(b) got in and went to the 10<sup>th</sup> Precinct stationhouse as that was where he menaced Sgt. Aman (**Board Review 13**). As their adrenaline went down, the officers began registering their injuries and feeling pain. PO Brandefine sustained three herniated disks in his back and injured his thumb due to § 87(2)(b)'s resistance and the crowd's interference. PO Malvagna injured his wrist and thumb, Sgt. Perritt injured his knee or shoulder and did not return to full duty, and PO Behan injured his back and subsequently needed physical therapy, which all resulted from the struggle to arrest § 87(2)(b) and the crowd's interference.

§ 87(2)(g) Footage of the arrest itself is either obfuscated by bodies pressed up against the BWC or by clothing. PO Behan explained his BWC is obscured by some type of cloth, possibly his jacket, but was unintentional and he did not purposefully try to obscure the footage (**Board Review 5**). The multiple officers who arrived to create a perimeter were facing the crowd and away from the arrest and do not show officers using force to move through crowd. However, BWC by Sergeant Matthew Forsythe of the 10<sup>th</sup> Precinct shows him and other officers doing crowd control either during or just after § 87(2)(b) was handcuffed (**Board Review 15**). At timestamp 1:35, while officers repeatedly tell the crowd to back up, an officer shouts, "Airmail!" and a male civilian shouts back, "Are you scared of water?" "Airmail" is a term often used to describe objects thrown at police.

NYPD Patrol Guide Procedure 221-01 states "force may be used when it is reasonable to ensure the safety of a member of the service...or when it is reasonable to place a person in custody or to prevent escape from custody" (**Board Review 17**). In determining whether the use of force is reasonable, member of the service should consider the nature and severity of the crime/circumstances, actions taken by the subject, duration of action, immediacy of perceived threat or harm to subject, members of service, and/or bystanders, whether the suspect is actively resisting custody, whether the subject is attempting to evade arrest by flight, number of subjects in comparison to the number of MOS, and the presence of hostile crowd or agitators.

§ 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g)  
[REDACTED]

§ 87(2)(g)  
[REDACTED]

**Allegation (H) Force: Inside 230 West 20th Street, Sergeant Sean Aman used physical force against § 87(2)(b)**

§ 87(2)(b) saw Sgt. Aman in plainclothes at the 10<sup>th</sup> Precinct stationhouse when he arrived in the transport van and thought he was waiting for him (**Board Review 6**). As officers brought § 87(2)(b) inside, Sgt. Aman volunteered to take § 87(2)(b) in for processing. He placed his arms between § 87(2)(b)'s rear-cuffed arms, interlocking them like a wrestling move, and dragged him to the desk, which was very painful. Sgt. Aman then slammed § 87(2)(b) against the gate so hard that a female sergeant or captain said “Sean, stop!” Sgt. Aman continued to hold § 87(2)(b) against the desk and gate, which put pressure on § 87(2)(b)'s ribs and groin. When § 87(2)(b) complained, Sgt. Aman said he was not even using any force and another officer said Sgt. Aman was just holding § 87(2)(b) in place. Sgt. Aman held him there for about 10 or 15 minutes, which felt much longer to § 87(2)(b) and he considered Sgt. Aman's actions akin to torture. Once § 87(2)(b) was processed at the desk, Sgt. Aman brought him to a holding cell.



Sgt. Aman said he was not waiting for § 87(2)(b). He had changed into his civilian clothes but had not yet signed out at the end of his tour when he saw a group of officers bring the handcuffed § 87(2)(b) to the 10<sup>th</sup> Precinct stationhouse (**Board Review 10**). § 87(2)(b) was trying to get away from these officers, who appeared to have a difficult time controlling him as two or three appeared injured, apparently from the arrest. Sgt. Aman assisted by placing his arms between § 87(2)(b)s and holding him in place against the desk. He used “minimal force” to keep him under control until the officers searched him. Sgt. Aman described the force as only holding § 87(2)(b) in place as § 87(2)(b) pushed back and struggled against him. § 87(2)(b) kept trying to move away from the desk and the officers searching him, causing him to lean over. This caused Sgt. Aman to keep him upright while still having his arms between § 87(2)(b)s. He in no way “tortured” § 87(2)(b) nor applied pressure to § 87(2)(b)s groin. No female MOS told Sgt. Aman to stop.

Both PO Behan and PO Brandefine recalled Sgt. Aman assisting them at the stationhouse due to Sgt. Perritt’s, PO Behan’s, PO Brandefine’s, and PO Malvagna’s injuries by restraining § 87(2)(b) at the desk (**Board Review 5 & Board Review 13**). All PO Brandefine saw Sgt. Aman do was restrain § 87(2)(b) by the arms and hold him in place (**Board Review 13**). Like PO Brandefine, PO Behan only saw Sgt. Aman hold § 87(2)(b) in place by the arms, which he thought was normal given § 87(2)(b)s resistance (**Board Review 5**). PO Malvagna only saw them together near the desk; he did not, however, see Sgt. Aman restrain § 87(2)(b) (**Board Review 14**).

All arresting officers interviewed said that they left to seek medical attention within a few minutes of arriving at the stationhouse due to their injuries (**Board Review 5, Board Review 13 & Board Review 14**).

BWC from PO Behan shows officers removing § 87(2)(b) from the transport van beginning at timestamp 16:11 (**Board Review 16**). The officers bring § 87(2)(b) into the stationhouse beginning at timestamp 16:47. From what is visible in the BWC’s background, two officers hold § 87(2)(b)s arms as he walks with them towards the stationhouse. The BWC does not capture any actions that would be considered violent or forceful.

There is no stationhouse footage or BWC video of Sgt. Aman’s interaction with § 87(2)(b) at the desk, however, Sgt. Perritt’s BWC did capture the audio of a brief conversation between § 87(2)(b) and officers inside the stationhouse (**Board Review 18**). Sgt. Perritt’s BWC appears to be covered by his jacket and thus only audio is captured. Between timestamp 17:45 and timestamp 18:20, § 87(2)(b) can be heard shouting that someone, presumably Sgt. Aman, is doing “too much.” The conversation is unclear, but another voice says, “Moving around” at timestamp 17:48 and a voice says someone is only holding § 87(2)(b) at timestamp 17:53. At timestamp 18:20, § 87(2)(b) begins to give his name and other information. At no point is any female MOS’s voice heard, and no one appears to say “Sean, stop!” as per § 87(2)(b)s version of events.

§ 87(2)(g)  
§ 87(2)(g)  
§ 87(2)(g)  
§ 87(2)(g)

## **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 19**).
- § 87(2)(b) has been party to six other CCRB complaints and has been named as a victim in 15 other allegations (**Board Review 20**):
  - § 87(2)(b)
- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 21**).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (**Board Review 22**).
- Sergeant William Perritt has been a member of service for 15 years and has been the subject in one other CCRB complaint and one other allegation, which was not substantiated (**Board Review 23**). § 87(2)(g)
- Sergeant Sean Aman has been a member of service for 17 years and has been the subject in two other CCRB complaints and three other allegations, of which one was substantiated (**Board Review 24**):
  - 201604293 involved a substantiated allegation of a vehicle search against Sgt. Aman. The Board recommended formalized training and the NYPD imposed no disciplinary action.

- § 87(2)(g) [REDACTED]
- Police Officer Corey Behan has been a member of service for eight years and has been the subject in one other CCRB complaint and one other allegation, which was not substantiated (**Board Review 25**). § 87(2)(g) [REDACTED]
- Police Officer Brian Brandefine has been a member of service for five years and has been the subject in two other CCRB complaints and three other allegations, which were not substantiated (**Board Review 26**). § 87(2)(g) [REDACTED]
- Police Officer Stephen Malvagna has been a member of service for six years and this is the first CCRB complaint to which he has been a subject (**Board Review 27**).

### Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- As of June 21, 2022, the NYC Office of the Comptroller has no record of a Notice of Claim filed by § 87(2)(b) [REDACTED] for this incident (**Board Review 28 & Board Review 29**).
- As of August 25, 2022, the NYC Office of the Comptroller has no record of a Notice of Claim filed by § 87(2)(b) [REDACTED] or § 87(2)(b) [REDACTED] for this incident (**Board Review 30 & Board Review 31**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Squad: 16

|                                    |                        |                |
|------------------------------------|------------------------|----------------|
| Investigator: <u>Nick Venduras</u> | Inv. Nicholas Venduras | Sept. 10, 2022 |
| Signature                          | Print Title & Name     | Date           |

|                                 |                    |            |
|---------------------------------|--------------------|------------|
| Squad Leader: <u>Patrick Yu</u> | IM Patrick Yu      | 09/12/2022 |
| Signature                       | Print Title & Name | Date       |

|                 |                    |       |
|-----------------|--------------------|-------|
| Reviewer: _____ | _____              | _____ |
| Signature       | Print Title & Name | Date  |